

STEVEN L. TISCIONE  
U.S. MAGISTRATE JUDGE

DATE: 5/30/2023 – 5/31/2023  
TOTAL TIME: 8.5 Hours

**CIVIL CAUSE FOR JURY SELECTION AND TRIAL**

DOCKET NO.: 14-cv-4431

CASE NAME: McCune v. Suffolk County et al.

CT. REPORTER: Paul Lombardi DPT./CLERK: Richard Bernache

INTERPRETER: N/A LANGUAGE: English

APPEARANCES: FOR PLAINTIFF: Frederick K. Brewington

FOR DEFENDANT: Arlene Zwilling

  X   COUNSEL **PRESENT**/NOT PRESENT:

  X   CASE CALLED   X   PROSPECTIVE JURORS SWORN

  X   JURY SELECTED        SELECTION ADJOURNED TO                     

  X   TRIAL BEGAN ON   5/30/23   TRIAL ADJOURNED TO   5/31/23  

  X   OTHER:

Motions in Limine: Defendant's motion is denied with leave to renew at the close of evidence. Plaintiff's motion in limine is granted in part and denied in part.

Plaintiff requested the Court not hold trial on Friday, June 2, 2023. Request granted.

Plaintiff moved to exclude certain exhibits presented by Defendants not listed in joint pre-trial order. Defendants objected. Decision deferred, each contested exhibit will be objected to and decided on a case-by-case basis.

Jury sworn.

Parties gave opening statements.

Witnesses sworn and testified: John Kurklen.

Plaintiff's exhibits marked and admitted: 74.

On May 31, 2023 parties engaged in further settlement discussions and reached a settlement in principle.

